

trict of the State of Texas, and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of the courts as herein fixed; to validate such process and to validate the summoning of grand and petit juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency," beg leave to submit the following floor report:

We find that this bill merely changes the law creating the Seventieth Judicial District, enacted during the Thirty-fifth Legislature at the Regular Session, so that the county of Midland shall have only three weeks of court, and allows the county of Glasscock to have two weeks of court, whereas the former bill allowed said county to have only one week of court.

We recommend that said House bill No. 15 do pass.

PILLOW, Vice-Chairman.

#### REPORTS OF COMMITTEE ON LABOR.

Committee Room,

Austin, Texas, September 8, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Labor, to whom was referred House bill No. 13, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Swope has been appointed to make a full report thereon.

NORDHAUS, Vice-Chairman.

Committee Room,

Austin, Texas, September 8, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Labor, to whom was referred House bill No. 12, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass with the amendments. Mr. Denton has been appointed to make a full report thereon.

NORDHAUS, Vice-Chairman.

#### REPORTS OF THE COMMITTEE ON ROADS, BRIDGES AND FERRIES.

Committee Room,

Austin, Texas, September 11, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads,

Bridges and Ferries, to whom was referred House bill No. 11, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass with the committee amendments.

SACKETT, Acting Chairman.

Committee Room,

Austin, Texas, September 11, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 10, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

SACKETT, Acting Chairman.

#### REPORT OF COMMITTEE ON EDUCATION.

Committee Room,

Austin, Texas, September 11, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Education, to whom was referred House bill No. 17, have had same under consideration and I am instructed to report it back to the House with the recommendation that it do pass, and that it be not printed.

THOMASON, Chairman.

#### THIRTEENTH DAY.

(Wednesday, September 12, 1917.)

The House met at 9:30 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Baker.	Cadenhead.
Beard of Milam.	Canales.
Beasley.	Cates.
Beason.	Clark.
Bedell.	Cope.
Bell.	Cox.
Bertram.	Davis of Dallas.
Blackburn.	Davis of Grimes.
Blackmon.	Davis
Bland.	of Van Zandt.
Bledsoe.	De Bogory.
Bryan.	Denton.
Bryant.	Dodd.
Burton of Rusk.	Dudley.
Burton of Tarrant.	Estes.
Butler.	Fisher.

Fitzpatrick.	Reeves.
Florer.	Richards.
Fly.	Robertson.
Greenwood.	Russell.
Haidusek.	Sackett.
Hardey.	Sallas.
Harris.	Schlesinger.
Holaday.	Schlosshan.
Holland.	Scholl.
Hudspeth.	Seawright.
Johnson.	Sholars.
Laas.	Smith of Bastrop.
Lacey.	Smith of Hopkins.
Laney.	Smith of Scurry.
Lanier.	Spencer of Wise.
Lee.	Spradley.
Lindemann.	Stewart.
Lowe	Strayhorn.
of McMullen.	Swope.
Low	Templeton.
of Washington.	Terrell.
McComb.	Thomas.
McCoy.	Thomason
McDowra.	of El Paso.
McMillin.	Thomason
Martin.	of Nacogdoches.
Meador.	Thompson
Mendell.	of Hunt.
Miller of Austin.	Thompson
Miller of Dallas.	of Red River.
Monday.	Tillotson.
Moore.	Tilson.
Morris.	Tinner.
Murrell.	Trayler.
Neill.	Tschoepe.
Nordhaus.	Veatch.
O'Banion.	Walker.
O'Brien.	White.
Osborne.	Williford.
Peyton.	Wilson.
Pillow.	Woods.
Pope.	Yantis.
Raiden.	

Absent.

Bagby.	Nichols.
Beard of Harris.	Peddy.
Brown.	Rogers.
Carlock.	Sentell.
Fairchild.	Spencer of Nolan.
Hawkins.	Upchurch.
Hill.	Valentine.
Lange.	Wahrmund.
McFarland	Williams
Neeley.	of Brazoria.

Absent—Excused.

Blalock.	Poage.
Crudgington.	Roemer.
Dunnam.	Taylor.
Hartman.	Williams
Jones.	of McLennan.
Metcalf.	Woodul.
Parks.	

The Speaker announced a quorum present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain, as follows:

We thank Thee, our Heavenly Father, through Thy love and mercy we are permitted to assemble this morning to transact such business as shall come before this House, and let the power of God be upon us, for Jesus' sake. Amen.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Metcalfe, for today, on motion of Mr. Sackett.

Mr. Dunnam, for this week, on motion of Mr. White.

On motion of Mr. Dodd, Mr. Jones was excused for today and tomorrow, on account of sickness.

## BILLS ORDERED NOT PRINTED.

On motion of Mr. Martin, it was ordered that House bill No. 18 be not printed.

On motion of Mr. Sackett, it was ordered that House bill No. 16 be not printed.

On motion of Mr. Beason, it was ordered that House bill No. 17 be not printed.

## CONGRATULATING CITIZENS OF DALLAS COUNTY.

Mr. Thompson of Hunt offered the following resolution:

Whereas, In the recent election held in Dallas county the friends of reform and good government won a great victory in that the liquor traffic was outlawed in said county by a vote of nearly two thousand majority; and

Whereas, The city of Dallas is the largest and one of the most important cities commercially within our State; and

Whereas, This signal victory will not only result in the banishment of the legalized liquor traffic from said city and county, but will hearten and encourage the friends of good government throughout Texas and beyond in further prosecuting the war upon said traffic, and will contribute materially to the final overthrow of the same within our State; therefore, be it

Resolved, That we congratulate the citizens of Dallas and Dallas county upon the great victory won in said contest, thus removing from their city and county the greatest curse that ever

afflicted a civilized people, and by their patriotic act, lending encouragement to the friends of the home and of humanity throughout our land.

Signed—Thompson of Hunt, Terrell.

The resolution was read second time.

Mr. Martin moved to refer the resolution to the Committee on Liquor Traffic.

Yeas and nays were demanded and the motion to refer was lost by the following vote:

#### Yeas—30.

Beason.	Martin.
Burton of Tarrant.	Mendell.
Denton.	Miller of Austin.
Dudley.	Monday.
Fisher.	Parks.
Fitzpatrick.	Pillow.
Greenwood.	Sallas.
Haidusek.	Scholl.
Hardey.	Sholars.
Harris.	Strayhorn.
Holland.	Thomason
Laas.	of El Paso.
Lindemann.	Thompson
Lowe	of Red River.
of McMullen.	Tillotson.
Low	Tschoepe.
of Washington.	Walker.

#### Nays—63.

Baker.	Meador.
Beard of Milam.	Moore.
Beasley.	Morris.
Bedell.	Murrell.
Bell.	Neill.
Bertram.	O'Banion.
Blackburn.	Osborne.
Blackmon.	Peyton.
Bledsoe.	Pope.
Bryan.	Raiden.
Bryant.	Reeves.
Burton of Rusk.	Richards.
Butler.	Russell.
Cadenhead.	Sackett.
Clark.	Seawright.
Cope.	Smith of Bastrop.
Davis of Dallas.	Smith of Hopkins.
Davis of Grimes.	Smith of Scurry.
Davis	Spencer of Wise.
of Van Zandt.	Spradley.
De Bogory.	Stewart.
Dodd.	Templeton.
Estes.	Terrell.
Florer.	Thomas.
Holaday.	Thompson
Hudspeth.	of Hunt.
Johnson.	Tilson.
Lacey.	Trayler.
Laney.	Veatch.
Lanier.	White.
McComb.	Williford.
McCoy.	Wilson.
McDowra.	Yantis.

#### Present—Not Voting.

Mr. Speaker.  
Canales.

O'Brien.  
Robertson.

#### Absent.

Bagby.	Nordhaus.
Beard of Harris.	Peddy.
Bland.	Rogers.
Brown.	Sentell.
Carlock.	Schlesinger.
Cates.	Schlosshan.
Cox.	Spencer of Nolan.
Fly.	Swope.
Hartman.	Thomason
Hawkins.	of Nacogdoches.
Hill.	Tinner.
Lange.	Upchurch.
Lee.	Valentine.
McFarland.	Wahrmund.
McMillin.	Williams
Miller of Dallas.	of Brazoria.
Neeley.	Woods.
Nichols.	

#### Absent—Excused.

Blalock.	Poage.
Crudgington.	Roemer.
Dunnam.	Taylor.
Fairchild.	Williams
Jones.	of McLennan.
Metcalfe.	Woodul.

Mr. Richards offered the following amendment to the resolution:

Amend by inserting after the word "Dallas," "Gonzales county."

The amendment was adopted.

Question then recurring on the resolution, it was adopted.

#### RELATING TO INVESTIGATION OF STATE DEPARTMENTS.

Mr. Thompson of Hunt offered the following resolution:

Whereas, A committee has been appointed by this House whose duty it is to take into consideration, and to report, with recommendations, the necessity for fully investigating the condition of the various departments of our State government, and the methods of conducting their business; and

Whereas, It is believed that departments have been created and are now being maintained at great public expense to the State that are unnecessary to properly conduct and care for the public business and interests of the people of the State, thus causing an enormous and needless waste of public funds; and

Whereas, In creating and maintaining said unnecessary departments the public service is greatly impaired, in that agen-

cies are duplicated, different departments are prosecuting the same character of business, causing confusion in plans and methods of work, and increasing largely the expense of accomplishing the same; and

Whereas, If all similar or kindred business was confined to one department it could be carried on and accomplished more fully and efficiently and at far less expense to the State than under present conditions; therefore,

Resolved, That the said committee, in addition to the duties heretofore assigned it, be and the same is hereby authorized to make inquiry as to the practicability of consolidating any two or more departments as are rendering service of the same or of a kindred nature; or of abolishing any one or more of such departments as may be considered unnecessary in properly caring for the public business and interests.

Resolved, That in event said committee should recommend that any number of departments be consolidated, after making proper inquiry into the subject, or that any one or more of said departments be abolished, then the said committee is further instructed to prepare and to present a bill or bills to this House putting into effect the recommendations so made.

Signed—Thompson of Hunt, Veatch.

The resolution was read second time.

Mr. Spradley raised a point of order on consideration of the resolution at this time on the ground that it proposes to confer powers on a committee not yet appointed.

The Speaker overruled the point of order.

On motion of Mr. Johnson, the resolution was laid on the table subject to call.

#### MESSAGES FROM THE ACTING GOVERNOR.

Mr. S. Raymond Brooks, private secretary to the Acting Governor, appeared at the bar of the House and, being duly announced, presented the following messages from the Acting Governor, which were read to the House:

Governor's Office.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration

of your honorable body the following subject:

Enactment of legislation to aid the counties of Kent and Stonewall, Texas, by donating and granting to said counties the State ad valorem taxes collected on property and from persons of said counties for the fiscal year beginning September 1, 1917, and ending September 1, 1918, and providing said State ad valorem tax shall be by the tax collector collected and remitted to the county treasurer of each county, respectively, providing the commissioners courts of such counties shall use said State ad valorem taxes to assist any person in actual need and remitting the balance, if any, to the State of Texas at the expiration of said fiscal year.

Respectfully submitted,

W. P. HOBBY,

Acting Governor of Texas.

Governor's Office.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law making additional appropriations for the support of the State government for two years, beginning September 1, 1917, and ending August 31, 1919, and prescribing certain regulations thereto, and repealing parts of laws heretofore passed making appropriations for particular items that may be named.

Respectfully submitted,

W. P. HOBBY,

Acting Governor of Texas.

Governor's Office.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law appropriating the fees and fines collected under the provisions of Chapter 108, Acts of the Thirty-fourth Legislature, Regular Session, 1915, during the remainder of the fiscal year ending August 31, 1918, and the fiscal year ending August 31, 1919, for the support of the Bureau of Labor Statistics in the enforcement of said act.

Respectfully submitted,

W. P. HOBBY,

Acting Governor of Texas.



## Governor's Office.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law validating the charters and amendments to charters of all cities of more than five thousand inhabitants in this State which have adopted charters, or attempted to adopt or amend charters, since the enactment of Chapter 147, General Laws of the Regular Session of the Thirty-third Legislature, 1913, and validating all proceedings had by city councils or city commissions, or governing authority, in regard to the question of the adoption of charters or amendments thereto.

Respectfully submitted,  
W. P. HOBBY,  
Acting Governor of Texas.

## Governor's Office.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your body the following subject:

Enactment of a law to amend Chapter 104 of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, entitled "An Act to create a more efficient road system for Newton county, Texas; creating the office of Superintendent of Public Roads and Bridges of said county, prescribing powers and duties and providing for his compensation."

Respectfully submitted,  
W. P. HOBBY,  
Acting Governor of Texas.

## Governor's Office.

To the Thirty-fifth Legislature in Third Called Session:

I beg to submit for the consideration of your honorable body the following subject:

Enactment of a law authorizing the commissioners court of Dallas county, Texas, to provide a building in the city of Dallas at or near the courthouse in said county, and to establish therein a woman's rest room or rest rooms of sufficient dimensions for the comfort and convenience of the women and children from the rural districts who are called upon to attend court; and to appropriate money for said building and to pay the salaries of the matron

and janitor, and to provide lights, water and heat for said building.

Respectfully submitted,  
W. P. HOBBY,  
Acting Governor of Texas.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally the first time and referred to the appropriate committees, as follows:

By Mr. Laney, Mr. Florer, Mr. Parks, Mr. Miller of Dallas and Mr. Davis of Dallas:

H. B. No. 19, A bill to be entitled "An Act authorizing the commissioners court of Dallas county, Texas, to provide a building in the city of Dallas at or near the courthouse in said county, and to establish therein a woman's rest room or rest rooms of sufficient dimensions for the comfort and convenience of the women and children of the rural districts who are called upon to attend court, or to visit the county site; and appropriate sufficient money out of the general fund of said county to properly maintain said rest room or rest rooms, and to pay the salaries of the matron and janitor, and to provide water, lights and heat for said building, and declaring an emergency."

Referred to Committee on Juvenile Reforms.

By Mr. Smith of Scurry:

H. B. No. 20, A bill to be entitled "An Act to aid the counties of Kent and Stonewall, Texas, by donating and granting to said counties the State ad valorem taxes collected on property and from persons of said counties for the fiscal year beginning September 1, 1917, and ending September 1, 1918, providing said State ad valorem taxes shall be by the tax collector collected and remitted to the county treasurer of each county, respectively, providing the commissioners courts of such counties shall use said State ad valorem taxes to assist any person in actual need and remitting the balance, if any, to the State of Texas at the expiration of said fiscal year, to wit: September 1, 1918, and providing a penalty for the misuse of same, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Stewart:

H. B. No. 21, A bill to be entitled

"An Act to amend Chapter 104 of the Acts of the Regular Session of the Thirty-fifth Legislature of the State of Texas, entitled an act to create a more efficient road system for Newton county, Texas, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Mendell:

H. B. No. 22, A bill to be entitled "An Act making additional appropriations for the support of the State government for two years beginning September 1, 1917, and ending August 31, 1919, as follows, to wit: For the salaries of special district judges, for fees and costs of sheriffs, attorneys and clerks in felony cases, for the salary of Assistant Adjutant General and the quartermaster of the Adjutant General's Department, for the salary of the Chief Inspector of Nurseries for the Department of Agriculture, for the salary of the State Revenue Agent, for the salary of the chief clerk of the Game, Fish and Oyster Commissioner's Department, for the salary of the Bacteriologist of the State Health Department, for the salary of the Commissioner of Labor, for the salaries of four inspectors in the Labor Department, for the salaries of two chemists in the Pure Food Department, for the salaries and expenses for collecting fees under the Pure Food Laws, for stamps to be used in the collection of fees in the Pure Food Department, for the salary of the porter in the Attorney General's Department, for the salary of the Commissioner of Insurance and Banking, for the salary of the Superintendent of the State Orphans' Home, for the salaries of twelve non-graduate nurses for the first year at Tuberculosis Sanitarium, for salaries of three assistants to the Inspector of Masonry and for material tests and analysis, long distance telephone, telegraph, express and freight charges and incidentals and traveling expenses for the Department of Inspector of Masonry, and to pay miscellaneous claims, and for other purposes; prescribing certain regulations and restrictions in respect thereto; repealing parts of law heretofore passed making appropriations for the particular items named in this bill, and declaring an emergency."

Referred to Committee on Appropriations.

#### CONGRATULATING CITIZENS OF WILLIAMSON AND OTHER COUNTIES.

Mr. Martin offered the following resolution:

Whereas, The liberty loving people of Williamson, Harris and Llano counties have recently won a victory in the local option elections; and

Whereas, They have preserved that Democratic right guaranteed to every liberty loving citizen; therefore, be it

Resolved, That the House of Representatives send its congratulations to said citizens by sending a copy of this resolution to some paper in each of said counties.

The resolution was read second time.

The Speaker stated that the time allotted under the Rules of the House for the consideration of resolutions had expired.

#### RELATING TO THE DELIVERY OF MAIL AT CAPITOL STATION.

Mr. Tinner offered the following resolution:

H. C. R. No. 1, Relating to the delivery of mail at Capitol station.

Be it resolved by the Legislature of the State of Texas:

Section 1. That the Postoffice Department of the United States government, and the officers and agents thereof, including the postmaster at the city of Austin, Texas, and the agents and employes of said postoffice and the branch postoffice in the Capitol building be, and they are hereby authorized to back the cars or trucks carrying the mail between said Capitol station postoffice and the postoffice located in the city of Austin, or between said Capitol station postoffice and the railway stations, upon the sidewalks or approaches at the north end or side of the Capitol building for the purpose of facilitating the receipt or delivery of mail at said Capitol station postoffice and in order to protect such mail, and such mail employes from rain and other inclement weather during such delivery or receipt.

And the Superintendent of Public Buildings and Grounds is hereby instructed to permit such practices.

Provided, however, that only rubber-tired vehicles shall be permitted so to use such sidewalks or approaches, and

that such use shall be so made as not to interfere with the general use of such sidewalks and approaches by the general public, and the Superintendent of Public Buildings and Grounds is hereby instructed to see that such use is made in accordance with the terms hereof.

The resolution was read second time and was lost.

#### SENATE BILL NO. 8 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to a third reading,

S. B. No. 8, A bill to be entitled "An Act to provide for the creation of home guards under the direction of the sheriff of the county; providing for the regulation of such home guard, and granting the right to counties, cities and towns to appropriate money to provide arms and ammunition for such home guard, and declaring an emergency."

The bill was read second time and was passed to a third reading.

Mr. Dudley moved to reconsider the vote by which the bill was passed to a third reading, and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 17 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 17, A bill to be entitled "An Act creating and establishing the Anahuac Independent School District in Chambers county, Texas; defining its boundaries; providing for board of trustees to manage and control the public free school within said district, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### HOUSE BILL NO. 3 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 3, A bill to be entitled "An Act providing that in case of sales of real property of soldiers or sailors serving in the armies or navies of the United States who are in war with Germany, by virtue or deeds of trust or mortgages, where such sales are made

without foreclosure suits, that before the execution of any conveyance or delivery of the property there shall first be filed a suit for the confirmation of the sales and for authority to make conveyance and delivery of the property, declaring how service shall be had in such suits and the law applicable thereto, and providing for confirmation of such sales, and declaring an emergency."

The bill was read third time.

Mr. Canales offered the following amendment to the bill:

Amend House bill No. 3 by adding at the end of Section 1, line 33, after the word "void," the following: "Provided, that on the final trial and before judgment of confirmation is entered by the court the defendant may file an answer setting up any defense he may have to the merits of the case."

The amendment was adopted.

House bill No. 3 was then passed.

#### HOUSE BILL NO. 5 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 5, A bill to be entitled "An Act to amend Chapter 105 of the Acts of the Regular Session of the Twenty-ninth Legislature, which is entitled 'An Act to prevent the diversion of electric current, water or gas from passing through any meter, and prevent any electric, water or gas meter by any manner or means from registering the full amount of current of electricity, water or gas that passes through it, and to prevent the diversion from any wire of electric current, water or gas, of any person, corporation or company engaged in the manufacture or distribution of electricity, water or gas, for lighting, power or other purposes; and to prevent the retaining of or refusing to deliver any meters, lamps or other appliances which may have been loaned or supplied for furnishing electricity, water or gas; and to prescribe a penalty for the violation thereof'; so amending said chapter as to make the presence on or about such meters, wires and pipes, of any device for the diversion of electric current, water or gas, or for the prevention of the proper action, or registration of the meter prima facie evidence of intention on the part of the user to defraud, within the scope of such chapter, and so amending said act as to



effect more fully the purpose thereof, and to repeal all laws in conflict herewith."

The bill was read third time and was passed.

Mr. Miller of Dallas moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 15 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 15, A bill to be entitled "An Act to reorganize the Seventieth Judicial District of the State of Texas, and to make all process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of the courts as herein fixed; to validate such process and to validate the summoning of grand and petit juries; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed.

#### RELATING TO EXCURSION TO SAN ANTONIO.

Mr. Schlesinger offered the following resolution:

Whereas, There is now located in San Antonio and its vicinity some of the largest military camps of the United States; and

Whereas, Many of our members have had no opportunity to visit these camps and acquaint themselves with the preparation our country is making for the great part it is taking in the war with Germany; and

Whereas, The railroads operating from Austin to San Antonio have agreed to run excursions to San Antonio on the morning and afternoon of the 15th inst., good to return to Austin the following day; therefore, be it

Resolved, That this House endeavor to dispatch its business on the 14th inst., or early enough in the forenoon of September 15th, so as to enable the members to take the trip to San Antonio.

Signed—Schlesinger, Nordhaus.

The resolution was read second time and was adopted.

#### REQUESTING SUBMISSION OF SUBJECTS FOR LEGISLATION.

Mr. Denton offered the following resolution:

Whereas, Section 21 of the Texas Democratic platform adopted at Houston in August, 1916, reads as follows:

"We recommend to the Thirty-fifth Legislature and urge it to enact a law which shall provide that no political party in this State in convention assembled shall ever place in the platform or resolutions of the party they represent any demand for specific legislation on any subject, unless the demand for such specific legislation shall have been submitted to a direct vote of the people and shall have been ordered by a majority vote of all the votes cast in the primary election of such party; provided, that the State election or Executive Committee shall on petition of ten per cent (10%) of the voters of any party as shown by the last primary votes submit any such question or questions to the voters at the general primary next preceding the next convention"; and

Whereas, In keeping with the spirit of this said section and pursuant to the platform demand for specific legislation in regard to the establishment of a branch A. and M. College for West Texas, the Thirty-fifth Legislature in Regular Session did enact a law creating the West Texas A. and M. College and provided for its location, which subsequently has been done, the Legislature making an appropriation for this purpose of \$500,000; and

Whereas, There was no specific legislation demanded by the 1916 Texas Democratic platform calling for the creation of the East Texas State Normal School, the South Texas State Normal School, the Northeast Texas Junior A. and M. College, the Alpine State Normal School nor the Northwest Texas State Insane Asylum, the aggregate estimated amounts for their establishment and the appropriations therefor totaling approximately \$1,215,000; and

Whereas, By enactment the Thirty-fifth Legislature has duly created and authorized the purchase and establishment of the John Tarleton Junior A. and M. College, the Grubbs Vocational School, the Commerce State Normal School and the Rusk Colored Insane Asylum, and the State having already purchased sites for these institutions and entered into contracts whereby they



have become going concerns, with the exception of the Rusk Colored Insane Asylum, which, however, is undoubtedly greatly and urgently needed to relieve the crowded conditions at the other State asylum, and as each and all of these last named institutions are now, or should be, in active operation by authority of the State of Texas; now, therefore, be it

Resolved, That the Thirty-fifth Legislature in Third Called Session requests Acting Governor W. P. Hobby to submit to this Legislature a measure calling for the suspension of the acts creating the said East Texas State Normal School, the South Texas State Normal School, the Alpine State Normal School, the Northwest Texas Insane Asylum and the Northeast Texas Junior A. and M. College, subject to further action by the Thirty-sixth Legislature without prejudice to or jeopardizing the interests of the several communities which have at great expense secured the locations of these institutions and have agreed to furnish building sites; and be it further

Resolved, That the State Democratic Executive Committee be and it is hereby petitioned to submit to the people of Texas as questions to be voted on at the 1918 Democratic primary election, as recommended by Section 21 of the 1916 Texas Democratic platform, specific legislation authorizing the creation of the aforesaid three unestablished normal schools, the Northwest Texas State Insane Asylum and the Northeast Texas Junior A. and M. College, to be located at the places already chosen or that may be chosen by the respective locating committees designated and appointed for that purpose by action of the Thirty-fifth Legislature and the Governor of Texas.

The resolution was read second time.

On motion of Mr. Terrell the resolution was laid on the table subject to call.

#### HOUSE BILL NO. 2 ON THIRD READING.

The Speaker laid before the House on its third reading and final passage,

H. B. No. 2, A bill to be entitled "An Act to amend Articles 1867 and 1868 of the Revised Civil Statutes of the State of Texas and to repeal all laws in conflict therewith by providing that a defendant who is in the service of the United States as a soldier shall not be required to answer to the merits

of a demand sued upon during the time he is actively engaged as a soldier in the war between the United States and the imperial government of Germany, and providing that he shall be required to answer to the merits of such suit within ninety days from the date of the signing of a treaty of peace between the United States and the imperial government of Germany; and declaring an emergency."

The bill was read third time.

Mr. Canales offered the following amendment to the bill:

Amend House bill No. 2 by adding at the end of Section 1, after the word "sooner," the following: "And provided further, that this act shall only apply to any and all debts contracted by such enlisted soldier before his enlistment into the army or navy of the United States, or before he is drafted for service into the army or navy of the United States; and provided further, that the provisions of this act shall not apply to divorce suits."

Signed—Canales, Schlesinger.

Mr. Miller of Dallas offered the following amendment to the amendment:

Amend the amendment by striking out the clause, "provided further, that the provisions of this act shall not apply to divorce suits."

The amendment to the amendment was adopted.

The amendment as amended was adopted.

Question then recurring on the final passage of the bill, yeas and nays were demanded.

The bill was passed by the following vote:

Yeas—97.

Mr. Speaker.	Cox.
Baker.	Davis of Dallas.
Beard of Milam.	Davis of Grimes.
Beasley.	Davis
Beason.	of Van Zandt.
Bedell.	Denton.
Bell.	Dodd.
Bertram.	Dudley.
Blackburn.	Estes.
Blackmon.	Fisher.
Bland.	Fitzpatrick.
Bledsoe.	Florer.
Burton of Rusk.	Fly.
Burton of Tarrant.	Greenwood.
Butler.	Haidusek.
Cadenhead.	Hardey.
Canales.	Harris.
Cates.	Holaday
Cope.	Holland.

Hudspeth.	Sackett.
Johnson.	Sallas.
Laas.	Schlesinger.
Lacey.	Schlosshan.
Laney.	Scholl.
Lanier.	Seawright.
Lee.	Smith of Bastrop.
Lindemann.	Smith of Hopkins.
Lowe	Smith of Scurry.
of McMullen.	Spradley.
McComb.	Stewart.
McDowra.	Swope.
McMillin.	Tempieton.
Meador.	Terrell.
Mendell.	Thomas.
Miller of Austin.	Thomason
Miller of Dallas.	of El Paso.
Monday.	Thomason
Morris.	of Nacogdoches.
Neill.	Thompson
Nordhaus.	of Hunt.
O'Banion.	Thompson
O'Brien.	of Red River.
Osborne.	Tillotson.
Parks.	Trayler.
Peyton.	Tschoepe.
Pillow.	Veatch.
Pope.	Walker.
Raiden.	White.
Reeves.	Williford.
Richards.	Wilson.
Robertson.	Sholars.
Russell.	

Nays—2.

Tinner. Yantis.

Present—Not Voting.

Bryan.	Spencer of Wise.
Bryant.	Woods.
Murrell.	

Absent.

Bagby.	Moore.
Beard of Harris.	Neeley.
Brown.	Nichols.
Carlock.	Peddy.
Clark.	Roemer.
De Bogory.	Rogers.
Hartman.	Sentell.
Hawkins.	Spencer of Nolan.
Hill.	Strayhorn.
Lange.	Tilson.
Low	Upchurch.
of Washington.	Valentine.
McCoy.	Wahrmund.
McFarland.	Williams
Martin.	of Brazoria.

Absent—Excused.

Blalock.	Poage.
Crudgington.	Taylor.
Dunnam.	Williams
Fairchild.	of McLennan.
Jones.	Woodul.
Metcalfe.	

Reason for Vote.

I favor the principle of the bill and vote "yea," but am in doubt about it being constitutional. I think it ought to have been referred to the Attorney General for his opinion.

OSBORNE.

Mr. Miller of Dallas moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 17 ON THIRD READING.

Mr. Beason moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that House bill No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	Lacey.
Baker.	Laney.
Beard of Milam.	Lanier.
Beasley.	Lee.
Beason.	Lindemann.
Bedell.	Lowe
Bell.	of McMullen.
Bertram.	Low
Blackburn.	of Washington.
Blackmon.	McComb.
Bland.	McDowra.
Bledsoe.	McMillin.
Burton of Rusk.	Meador.
Burton of Tarrant.	Mendell.
Butler.	Miller of Austin.
Cadenhead.	Miller of Dallas.
Canales.	Monday.
Cates.	Morris.
Cope.	Neill.
Davis of Dallas.	O'Banion.
Davis of Grimes.	O'Brien.
Davis	Osborne.
of Van Zandt.	Parks.
Denton.	Peyton.
Dodd.	Pillow.
Dudley.	Pope.
Estes.	Raiden.
Fisher.	Reeves.
Fitzpatrick.	Richards.
Florer.	Robertson.
Fly.	Sackett.
Greenwood.	Sallas.
Haidusek.	Schlesinger.
Hardey.	Schlosshan.
Harris.	Scholl.
Holaday.	Seawright.
Holland.	Sholars.
Hudspeth.	Smith of Bastrop.
Laas.	Smith of Hopkins.

Smith of Scurry.	Thompson
Spradley.	of Red River.
Stewart.	Tillotson.
Swope.	Trayler.
Templeton.	Tschoepe.
Terrell.	Veatch.
Thomas.	Walker.
Thomason	White.
of El Paso.	Williford.
Thomason	Wilson.
of Nacogdoches.	Yantis.
Thompson	
of Hunt.	

Present—Not Voting.

Bryan.	Spencer of Wise.
Bryant.	Woods.
Murrell.	

Absent.

Bagby.	Neeley.
Beard of Harris.	Nichols.
Brown.	Nordhaus.
Carlock.	Peddy.
Clark.	Rogers.
Cox.	Russell.
De Bogory.	Sentell.
Hartman.	Spencer of Nolan.
Hawkins.	Strayhorn.
Hill.	Tilson.
Johnson.	Tinner.
Lange.	Upchurch.
McCoy.	Valentine.
McFarland.	Wahrmund.
Martin.	Williams
Moore.	of Brazoria.

Absent—Excused.

Blalock.	Poage.
Crudgington.	Roemer.
Dunnam.	Taylor.
Fairchild.	Williams
Jones.	of McLennan.
Metcalfe.	Woodul.

The Speaker then laid House bill No. 17 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—97.

Mr. Speaker.	Burton of Rusk.
Baker.	Burton of Tarrant.
Beard of Milam.	Butler.
Beasley.	Canales.
Beason.	Cates.
Bedell.	Cope.
Bell.	Cox.
Bertram.	Crudgington.
Blackburn.	Davis of Dallas.
Blackmon.	Davis of Grimes.
Bland.	De Bogory.

Denton.	Peyton.
Dodd.	Pillow.
Dudley.	Pope.
Estes.	Reeves.
Fisher.	Richards.
Fitzpatrick.	Robertson.
Florer.	Russell.
Fly.	Sackett.
Greenwood.	Sallas.
Haidusek.	Schlesinger.
Hardey.	Schlosshan.
Harris.	Scholl.
Holaday.	Seawright.
Holland.	Sholars.
Hudspeth.	Smith of Bastrop.
Laas.	Smith of Hopkins.
Lacey.	Smith of Scurry.
Laney.	Spradley.
Lanier.	Stewart.
Lee.	Swope.
Lindemann.	Templeton.
Lowe	Terrell.
of McMullen.	Thomas.
Low	Thomason
of Washington.	of El Paso.
McComb.	Thomason
McCoy.	of Nacogdoches.
McDowra.	Thompson
McMillin.	of Hunt.
Meador.	Thompson
Mendell.	of Red River.
Miller of Austin.	Tillotson.
Miller of Dallas.	Trayler.
Monday.	Tschoepe.
Moore.	Veatch.
Morris.	Walker.
Neill.	White.
O'Banion	Williford.
O'Brien.	Wilson.
Osborne.	Yantis.
Parks.	

Present—Not Voting.

Bryan.	Spencer of Wise.
Bryant.	Woods.

Absent.

Bagby.	Neeley.
Beard of Harris.	Nichols.
Bledsoe.	Nordhaus.
Brown.	Peddy.
Carlock.	Raiden.
Clark.	Rogers.
Davis	Sentell.
of Van Zandt.	Spencer of Nolan.
Hartman.	Strayhorn.
Hawkins.	Tilson.
Hill.	Tinner.
Johnson.	Upchurch.
Lange.	Valentine.
McFarland.	Wahrmund.
Martin.	Williams
Murrell.	of Brazoria.

Absent—Excused.

Blalock.	Dunnam.
Cadenhead.	Fairchild.

Jones. Taylor.  
 Metcalfe. Williams  
 Poage. of McLennan.  
 Roemer. Woodul.

# COMMUNICATIONS FROM THE ACTING GOVERNOR.

The Speaker laid before the House and had read the following communications from the Acting Governor:

House of Representatives,  
 State of Texas.

Camp Travis, San Antonio, Texas.  
 September 7, 1917.

Hon. W. P. Hobby, Governor.

Dear Sir: I regret very much that existing circumstances are such that I cannot retain my seat in the Texas Legislature. But since I am called upon to choose the course I am to pursue, I willingly and gladly resign from the Legislature and take my place among the thousands of other young men of the country who are fighting for that greater democracy which can come only with the overthrow of despotism in Europe. My service in the Legislature has been very pleasant indeed, and it would be a much greater pleasure to me if I could serve in the present session called by you. At any rate, I would have you remember me as your true friend and one who wishes for you all the success that comes to a man who braves the tide of political corruption and does that which he knows to be just and right.

With best wishes, I am,  
 Sincerely yours,  
 GEORGE E. B. PEDDY.

Resignation accepted September 10, 1917.

W. P. HOBBY,  
 Acting Governor.

Department of State.

I, C. J. Bartlett, Secretary of State of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the resignation of George E. B. Peddy, accepted September 11, 1917.

With the endorsements thereon, as appears of record in this Department.

In testimony whereof, I have signed my name officially and caused to be impressed hereon the Seal of the State

at my office in the city of Austin, this the 12th day of September, A. D. 1917.

C. J. BARTLETT,  
 Secretary of State.

House of Representatives,  
 State of Texas.

San Antonio, Texas, September 8, 1917.

Hon. W. P. Hobby, Governor, Austin, Texas.

Dear Sir: Believing that when our country is involved in a national crisis as at present, that it is the bounden duty of every patriotic citizen to answer his country's call, and to serve that country in whatever capacity he may be best fitted, I have joined the new national army of the United States. My duties with the army will conflict with my duties as a member of the Texas Legislature. And knowing that there are others who can efficiently represent my people in the Legislature who are not in a position to serve on the firing line, I tender you my resignation as a member of the Texas Legislature.

Trusting same may be promptly accepted, I am,

Sincerely yours,  
 MYRON G. BLALOCK.

Resignation accepted September 11, 1917.

W. P. HOBBY,  
 Acting Governor.

Department of State.

I, C. J. Bartlett, Secretary of State of the State of Texas, do hereby certify that the foregoing is a true and correct copy of the resignation of Myron G. Blalock, accepted September 11, 1917.

With the endorsements thereon, as now appears of record in this Department.

In testimony whereof I have hereunto signed my name officially and caused to be impressed hereon the seal of the State at my office in the city of Austin this the 12th day of September, 1917.

C. J. BARTLETT,  
 Secretary of State.

# ADJOURNMENT.

On motion of Mr. Mendell, the House, at 11:10 o'clock a. m., adjourned until 9:30 o'clock a. m. tomorrow.



## APPENDIX.

REPORTS OF THE COMMITTEE ON  
ENGROSSED BILLS.

Committee Room,  
Austin, Texas, September 12, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 2, A bill to be entitled  
"An Act to amend Articles 1867 and  
1868 of the Revised Civil Statutes of  
the State of Texas, and to repeal all  
laws in conflict therewith by providing  
that a defendant who is in the service  
of the United States as a soldier shall  
not be required to answer to the merits  
of a demand sued upon during the time  
he is actively engaged as a soldier in  
the war between the United States and  
the Imperial government of Germany,  
and providing that he shall be required  
to answer to the merits of such suit  
within ninety days from the date of  
the signing of a treaty of peace between  
the United States and the Imperial  
government of Germany, and declaring  
an emergency,"

And find the same correctly engrossed.  
DENTON, Chairman.

Committee Room,  
Austin, Texas, September 11, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 15, A bill to be entitled  
"An Act to reorganize the Seventieth  
Judicial District of the State of Texas,  
and to make all process issued or served  
before this act takes effect, including  
recognizances and bonds, returnable to  
the terms of the courts as herein fixed;  
to validate such process and to validate  
the summoning of grand and petit  
jurors and juries; repealing all laws and  
parts of laws in conflict herewith, and  
declaring an emergency,"

And find the same correctly engrossed.  
DENTON, Chairman.

Committee Room,  
Austin, Texas, September 11, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: Your Committee on Engrossed

Bills have carefully examined and com-  
pared

H. B. No. 3, A bill to be entitled  
"An Act providing that in case of sales  
of real property of soldiers or sailors  
serving in the armies or navies of the  
United States who are in war with  
Germany, by virtue of deed of trust or  
mortgages, where such sales are made  
without foreclosure suits, that before  
the execution of any conveyance or de-  
livery of the property there shall first  
be filed a suit for the confirmation of  
the sales and for authority to make con-  
veyance and delivery of the property,  
declaring how service shall be had in  
such suits and the law applicable  
thereto, and providing for confirmation  
of such sales, and declaring an emer-  
gency,"

And find the same correctly engrossed.  
DENTON, Chairman.

Committee Room,  
Austin, Texas, September 12, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 11, A bill to be entitled  
"An Act to amend Section 37, Chapter  
17, of the General and Special Laws of  
the State of Texas passed at the Thirty-  
third Legislature at its First Called Ses-  
sion, being 'An Act creating the San  
Patricio county road system so as to  
require the tax assessor to make up the  
tax rolls of said county, including all  
defined road districts, instead of by jus-  
tice precincts,' by adding two new sec-  
tions to be designated as Section 37a  
and Section 37b; fixing the compensation  
of the tax assessor, and declaring an  
emergency,"

And find the same correctly engrossed.  
DENTON, Chairman.

Committee Room,  
Austin, Texas, September 11, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: Your Committee on Engrossed  
Bills have carefully examined and com-  
pared

H. B. No. 5, A bill to be entitled  
"An Act to amend Chapter 105 of the  
Acts of the Regular Session of the  
Twenty-ninth Legislature, which chap-  
ter is entitled 'An Act to prevent the  
diversion of electric current, water or

gas from passing through any meter, and prevent any electric, water or gas meter by any manner or means from registering the full amount of current of electricity, water or gas that passes through it, and to prevent the diversion from any wire of electric current, water or gas of any person, corporation or company engaged in the manufacture or distribution of electricity, water or gas for lighting, power or other purposes; and to prevent the retaining of, or refusing to deliver any meters, lamps or other appliances which may have been loaned or supplied for furnishing electricity, water or gas; and to prescribe a penalty for the violation thereof; so amending said chapter as to make the presence on or about such meters, wires and pipes of any device for the diversion of electric current, water or gas, or for the prevention of the proper action, or registration of the meter prima facie evidence of intention on the part of the user to defraud, within the scope of such chapter and so amending said act as to effect more fully the purpose thereof, and to repeal all laws in conflict herewith."

And find the same correctly engrossed.  
DENTON, Chairman.

#### REPORT OF COMMITTEE ON MILITARY AFFAIRS.

Committee Room,  
Austin, Texas, September 11, 1917.  
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Military Affairs, to whom was referred Senate bill No. 8, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

HARRIS, Chairman.

#### REPORTS OF COMMITTEE ON JUVENILE REFORMS.

Committee Room,  
Austin, Texas, September 12, 1917.  
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Juvenile Reforms, to whom was referred House bill No. 14, have had the same under consideration and I am instructed to report the same back to the House with the recommendation that it do pass. Mr.

Beason has been appointed to make a full report thereon.

FLORER, Chairman.

Committee Room,  
Austin, Texas, September 12, 1917.  
Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Juvenile Reforms, to whom was referred House bill No. 19, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Miller has been appointed to make a full report thereon.

FLORER, Chairman.

#### FOURTEENTH DAY.

(Thursday, September 13, 1917.)

The House met at 9:30 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Mr. Speaker.	Fitzpatrick.
Baker.	Florer.
Beard of Milam.	Fly.
Beasley.	Greenwood.
Beason.	Haidusek.
Bedell.	Hardey.
Bell.	Harris.
Bertram.	Hill.
Blackburn.	Holaday.
Blackmon.	Holland.
Bland.	Hudspeth.
Bledsoe.	Johnson.
Bryan.	Laas.
Bryant.	Lacey.
Burton of Rusk.	Laney.
Burton of Tarrant.	Lanier.
Butler.	Lee.
Cadenhead.	Lindemann.
Canales.	Lowe
Cates.	of McMullen.
Clark.	McComb.
Cope.	McCoy.
Cox.	McDowra.
Davis of Dallas.	McMillin.
Davis of Grimes.	Martin.
Davis	Meador.
of Van Zandt.	Mendell.
De Bogory.	Miller of Austin.
Denton.	Miller of Dallas.
Dodd.	Monday.
Dudley.	Moore.
Dunnam.	Morris.
Estes.	Murrell.
Fairchild.	Neill.
Fisher.	Nordhaus.